

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

DELREECE M. THOMPSON,

Petitioner,

vs.

**Civil Action 2:14-cv-374
Judge Watson
Magistrate Judge King**

WARDEN-DIRECTOR GARY MOHR, et al.,

Respondents.

ORDER

Delreece M. Thompson, a state prisoner, instituted this action seeking habeas corpus relief under 28 U.S.C. § 2254 and monetary relief under 42 U.S.C. § 1983. *Complaint*, ECF 1. On May 21, 2014, the United States Magistrate Judge ordered Mr. Thompson to file a habeas corpus petition consistent with the provisions of Rule 2 of the Rules Governing Section 2254 Cases in the United States District Courts and recommended that the claims under § 1983 be dismissed. *Order and Report and Recommendation*, ECF 4. Mr. Thompson was advised of his right to object to the recommendation and of the consequences of his failure to do so. He has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254, *Petition*, ECF 6, but has not filed an objection to the recommendation that the claims under § 1983 be dismissed.

Accordingly, the *Report and Recommendation*, ECF 4, is **ADOPTED AND AFFIRMED**. The claims under 42 U.S.C. § 1983 are **DISMISSED**. The case will proceed on the claims under 28 U.S.C. § 2254.

The Court construes the *Petition* as a challenge to Petitioner's criminal conviction in the Court of Common Pleas for Marion County, Ohio. Petitioner is currently incarcerated in the North Central Correctional Institution in Marion, Ohio. Marion County falls within the territorial jurisdiction of the United States District Court for the Northern District of Ohio. 28 U.S.C. § 115(a)(2). This habeas corpus action is therefore properly venued in that District. See 28 U.S.C. § 2241(d).

This action is hereby **ORDERED TRANSFERRED** to the United States District Court for the Northern District of Ohio, Western Division.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT